

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

WILLIAM DOUGLAS HAMPTON,

#26034-44,

Petitioner,

vs.

WARDEN UNDERWOOD,

Respondent.

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No. 3:18-CV-1499-S

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

On September 21, 2018, it was recommended that the petitioner's habeas petition under 28 U.S.C. § 2241 be dismissed for lack of jurisdiction, the recommendation was accepted on October 15, 2018, and the petition was dismissed on that date. (*See* docs. 11- 13.) After the petitioner contended that he did not receive a copy of the recommendation, it was recommended on November 5, 2018, that the judgment be vacated, and that he be given an opportunity to file objections to the recommendation. (*See* docs. 14, 15.) A copy of the September 21 recommendation was sent to him, and he was directed to file any objections to the September 21 recommendation within 14 days after being served with a copy of that recommendation. (*See* doc. 15.) He received a copy of the September 21 recommendation on November 14, 2008. (*See* doc. 16 at 3.) The petitioner was granted an extension until December 14, 2018, to file objections to the September 21 recommendation. (*See* 16, 17.)

The petitioner submitted "abbreviated objections" to the September 21 recommendation, received on December 14, 2018, and he sought an extension of time to supplement his objections. (*See* doc. 18.) He was granted an extension until January 14, 2019, to file supplemental objections to the September 21 recommendation. (*See* doc. 20.) He was instructed that no further extensions

would be granted and that if his supplemental objections were not received by that date, the Court would proceed to consider only the objections that were received on December 14, 2018. (*See id.*)

The petitioner then filed a *Petition for Temporary Injunction Grant*, received on December 31, 2018. (*See* doc. 21.) He contends that he is in the special housing unit and has been repeatedly denied access to the law library, except for a two-hour visit to the library on December 7, 2018. He seeks injunctive relief in the form of access to law library reference materials, a law library computer, a typewriter, printer, photocopier, and stored legal documents so that he may perform legal research for multiple cases and counter opposing petitions and motion. There are no other motions pending in this case, and he does not appear to have any other cases in this district.

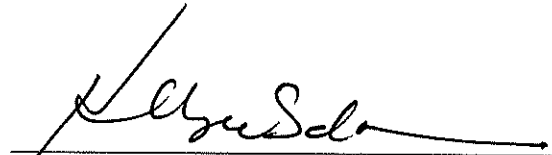
On January 8, 2009, it was recommended that the motion for injunctive relief be denied. (*See* doc. 22.) Petitioner has filed objections to that recommendation to deny injunctive relief, received on January 22, 2019. (*See* doc. 24.) His objections to the January 8 recommendation do not include any additional objections to the September 21 recommendation to dismiss the habeas petition.

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge to dismiss the habeas petition for lack of jurisdiction and to deny the motion for injunctive relief, entered on September 21 and January 8, the objections to the September 21 recommendation to dismiss the habeas petition (doc. 18), and the objections to the January 8 recommendation to deny injunctive relief (doc. 24), in accordance with 28 U.S.C. § 636(b)(1), the Court is of the opinion that both sets of Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court. For the reasons stated in the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, the motion for injunctive relief (doc. 21) is **DENIED**, and the petition for

habeas corpus relief pursuant to 28 U.S.C. § 2241 is **DISMISSED** for lack of jurisdiction.

A certificate of appealability (COA) is not required to appeal in a case under 28 U.S.C. § 2241. *See Montano v. Texas*, 867 F.3d 540, 547 n.8 (5th Cir. 2017). If the petitioner files a notice of appeal, he must pay the \$505.00 appellate filing fee or submit a motion to proceed *in forma pauperis* and a properly signed certificate of inmate trust account.

SIGNED this 6th day of February, 2019.


UNITED STATES DISTRICT JUDGE